

Message Text

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ORIGIN EB-11

INFO OCT-01 ARA-16 IO-15 ISO-00 OMB-01 TAR-02 SPC-03

AGR-20 AID-20 CIAE-00 COME-00 INR-10 LAB-06 NSAE-00

OIC-04 RSC-01 SIL-01 STR-08 TRSE-00 CIEP-02 CEA-02

AF-10 EA-11 EUR-25 NEA-10 SSO-00 INRE-00 NSCE-00 /179 R

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ARA/MEX - MR. KING

IO/CMD:AYODER

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FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK IMMEDIATE

INFO AMEMBASSY MEXICO

USMISSION GENEVA

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E. O. 11652: N/A

TAGS: UNCTAD, UNGA, MX, EGEN

SUBJECT: UNCTAD CHARTER OF ECONOMIC RIGHTS AND DUTIES OF
STATES

REF: USUN 3436

1. IN CONSIDERING CHARTER ITEM IN SECOND COMMITTEE, WE
WOULD HOPE ANY SUBSTANTIVE DISCUSSION WOULD AVOID FULL
SCALE DEBATE CRYSTALLIZING DIFFERENCES BETWEEN DEVELOPING
AND INDUSTRIALIZED COUNTRIES IN PUBLIC WAY WHICH COULD
PREJUDICE POSSIBILITIES OF EVENTUAL ACCOMMODATION.

2. AS REPORT OF WORKING GROUP SHOWS, POSITIONS VARY
WIDELY ON SOME FUNDAMENTAL ISSUES AND MUCH SERIOUS
NEGOTIATION LIES AHEAD IN WG IF PROPOSED CHARTER IS TO
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TAKE INTO ACCOUNT CONCERNS OF BOTH DEVELOPING AND

INDUSTRIALIZED COUNTRIES SO AS TO COMMAND GENERAL SUPPORT. U.S. THEREFORE SUPPORTS EXTENSION OF WORKING GROUP MANDATE FOR TWO MEETINGS IN 1974 AND WOULD ALSO WILLINGLY PARTICIPATE IN INFORMAL MEETINGS NOTED PARA 2 REFTEL. WE BELIEVE, HOWEVER, THAT ANY UNGA RESOLUTION WHICH SOUGHT TO INFLUENCE CONTENT OF EVENTUAL CHARTER COULD ENDANGER POSSIBILITIES FOR CONSENSUS.

3. USDEL MAY WISH TO DISCUSS FOREGOING WITH MEXICAN DEL AND EXPRESS APPRECIATION FOR MEXICO'S GIVING US COPY OF ITS CURRENT PROPOSED DRAFT OF CHARTER, WHILE NOTING THAT SEVERAL ELEMENTS WOULD GIVE USG SUBSTANTIAL DIFFICULTY (E.G., WHILE IN WORKING GROUP U.S. PROPOSED RESTATEMENT OF LANGUAGE OF UNGA RES. 1803 ON PROTECTION OF FOREIGN INVESTMENT. MEXICAN DRAFT GOES IN OPPOSITE DIRECTION).

4. U.S. DEL MAY ALSO WISH TO TAKE EARLY OPPORTUNITY TO DISCUSS FOREGOING IN MEETING OF WEO'S WITH VIEW TO OTHER INDUSTRIALIZED STATES' TAKING SIMILAR APPROACH IN INFORMAL DISCUSSIONS WITH MEXICO AND OTHER LDCS.

5. DRAFT PREPARED BY USUN MUCH APPRECIATED AND IS BEING REVIEWED IN WASHINGTON AGENCIES CONCERNED. FULLER MESSAGE WILL FOLLOW. OUR INITIAL REACTION TO YOUR DRAFT IS THAT IT WILL BE OF MATERIAL USE IN FURTHER SESSIONS OF WORKING GROUP BUT THAT SURFACING IT AT GA MIGHT GIVE RISE TO SUBSTANTIVE DEBATE THAT WE PREFER TO AVOID. WE SEE PARTICULAR NEED, BEFORE SURFACING, TO EXCHANGE VIEWS WITH YOU ON CERTAIN PROVISIONS OF CHAPTER VI OF YOUR DRAFT WHICH WE FEAR COULD IF ADOPTED LEAD TO CONTINUING AND DEMANDING EXERCISE ON SCALE OF "FRIENDLY RELATIONS."
RUSH

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